

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ORIX FINANCIAL SERVICES, INC.,)
)
Plaintiff,)
v.) CASE NO. 2:05-cv-1233-MEF
)
EARNEST CHAPMAN, individually)
and d/b/a Earnest Chapman Logging,)
)
Defendant.)

O R D E R

The Defendant, Earnest Chapman, having filed a Petition in Bankruptcy, it is the ORDER, JUDGMENT, and DECREE of the court:

1. That Defendant, Earnest Chapman, is hereby DISMISSED without prejudice from the above-styled case. Any party has the right to petition to reinstate this action to pursue any claim embraced herein not adjudicated in or discharged by proceedings in the bankruptcy court;
2. That such reinstatement, if and when allowed, will cause the filing date of any claim so reinstated to relate back to the original filing date of this action;
3. That any petition for reinstatement must be filed by a party within 60 days after the bankruptcy court has taken such action that entitles that party to seek reinstatement; and

The Clerk of the Court is DIRECTED to mail a copy of this order to the United States Bankruptcy Court for the Northern District of Alabama.

DONE this the 19th day of December, 2006.

/s/ Mark E. Fuller

CHIEF UNITED STATES DISTRICT JUDGE